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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,  
  
Plaintiff(s),  
  
v.  
  
ORR WATER DITCH CO., et al.,  
  
Defendant(s).

Case No. 3:73-cv-00003-LDG  
In Equity A-3

**STIPULATION AND ORDER FOR  
PARTIAL FINAL JUDGMENT**

Leslie G. Borges (“Respondent Borges”) and the Pyramid Lake Paiute Tribe (“Tribe”) (collectively, the “Parties”), through their respective counsel, stipulate to the following Order for a Partial Final Judgment dismissing Respondent Borges from the above-titled action as related to certain water rights referenced herein. The Parties respectfully request that said order be issued pursuant to Fed. R. Civ. P. 54(b).

Pursuant to the Court’s Order dated March 28, 2008 (ECF No. 881), the Orr Ditch Petition was dismissed, without prejudice, as to each un-served respondent, i.e., those respondents who did not acknowledge mail service. Respondent Borges did not acknowledge service, and therefore was generally dismissed under the Court’s Order of dismissal (ECF No. 881). Because Respondent Borges remains a party to the above-titled action since no final

[P0361205; 1050.03 LMM ]



judgment has been entered, the parties agree that it is appropriate for the Court to issue an order dismissing Respondent Borges as related to certain water rights more fully identified below:

| PLPT<br>Ref. No. | Township | Range | Section | QQ<br>Section | Acres | TCID<br>No. | Name                    |
|------------------|----------|-------|---------|---------------|-------|-------------|-------------------------|
| 2945             | 20       | 26    | 33      | 5             | 2.8   | 836         | Borges, Leslie G et. al |
| 2946             | 20       | 26    | 33      | 7             | 7.2   | 836         | Borges, Leslie G et. al |
| 2947             | 20       | 26    | 33      | 6             | 3.3   | 836         | Borges, Leslie G et. al |
| 2948             | 20       | 26    | 33      | 1             | 5.2   | 836         | Borges, Leslie G et. al |
| 2949             | 20       | 26    | 33      | 2             | 6.1   | 836         | Borges, Leslie G et. al |
| 2950             | 20       | 26    | 33      | 4             | 4.9   | 836         | Borges, Leslie G et. al |
| 2951             | 20       | 26    | 33      | 8             | 0.2   | 836         | Borges, Leslie G et. al |
| 2952             | 20       | 26    | 34      | 4             | 0.1   | 836         | Borges, Leslie G et. al |
| 2953             | 20       | 26    | 33      | 3             | 6.7   | 836         | Borges, Leslie G et. al |

Based on the foregoing, the parties hereby stipulate and request the Court issue this Order for Partial Final Judgment dismissing Respondent Borges from the above-titled action. All parties to bear their own fees and costs.

RESPECTFULLY SUBMITTED BY:

Dated: 2/23/2017  
SCHROEDER LAW OFFICES, P.C.

Dated: 2/23/2017  
WOLF, RIFKIN, SHAPIRO, SCHULMAN &  
RABKIN, LLP


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The stipulation of the parties is GRANTED.

IT IS SO ORDERED.

Dated: this 27 day of February, 2017.

By   
United States District Judge  
Lloyd D. George

{P0361205; 1050.03 LMM }

